IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6046 OF 2005

IN

CRIMINAL APPEAL NO. 864 OF 2005

Mohamed Shafiq @ Munna @ Butchor Shaikh ...Applicant

Versus

The State of Maharashtra ....Respondent

Ms. Poornima Chauhan for the applicant.
Mr. V.B. Konde Deshmukh, A.P.P. for the State.

CORAM: **A.M. KHANWILKAR, J.**
DATE: **DECEMBER 13, 2005**.

P.C.

Heard counsel for the parties. As the sentence is short sentence of three years out of which applicant has already undergone one year sentence coupled with the fact that it is unlikely that the Appeal will be heard in the near future as Appeals prior to 1995 are still pending for hearing and that there is nothing on record to show that there are other antecedents against the applicant, the applicant deserves to be released on bail on the following strict conditions:-

(a) The Applicant shall furnish bail bond in the sum of Rs.10,000/- with two local sureties in the like amount;

(b) The Applicant shall not leave the jurisdiction of Sessions Court,

Mumbai, without prior permission of this Court, during the pendency of the Appeal.

(c) The Applicant shall not indulge in, directly or indirectly, threatening any of the prosecution witnesses during the pendency of the Appeal.

(d) The Applicant shall report to the Tilak Nagar Police Station on 1st and 3rd Mondays of every English calendar month between 10.00 a.m. and 12 Noon during the pendency of the Appeal and furnish his latest place of residence. He shall intimate the concerned Police Station about the changed address, if any, from time to time.

(e) The Applicant shall surrender his passport with the concerned Police Station, if any. In case he does not possess any passport, affidavit to that effect be filed with the conditions for release on bail.

2. Application disposed of accordingly.

(A.M. KHANWILKAR, J.)